

VIA ECFS

July 17, 2019

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**EX PARTE FILING OF ENCINA COMMUNICATIONS CORPORATION
RE NOTICE OF PROPOSED RULE MAKING
ET DOCKET 18-295 UNLICENSED USE OF THE 6 GHz BAND AND
EXPANDING FLEXIBLE USE IN MID-BAND SPECTRUM
GN DOCKET NUMBER 17-183**

Dear Ms. Dortch:

On July 17, 2019, Michael Mulcahy of Encina Communications Corporation had a telephone conversation with William Davenport, Office of Commissioner Starks. We discussed the three proposals before the Commission for the operation of unlicensed devices in the U-NII 5 and U-NII 7 licensed 6 GHz bands and their impact on Public Safety and Time-to-Market:

1. No Coordination of Unlicensed Devices (an overlay of unlicensed devices):

The random deployment of unlicensed devices -- even inside buildings with the lowest EIRP of 14 dBm -- will cause harmful interference to existing licensed stations¹ and present and Unacceptable risk to Public Safety.

2. Automatic Frequency Coordination (AFC) After Deployment of Unlicensed Devices:

This requires a sophisticated AFC -- with detailed structural, organizational and procedural mechanisms that have yet to be determined² -- which is expected take years³.

3. Safe Area Coordination (SAC) Before AFC of Deployed Unlicensed Devices:

This uses the procedures of TSB10 -- which for over three decades has been used to protect existing licensed stations from harmful interference from new licensed devices -- to protect existing licensed stations from new deployments of unlicensed devices.

Throughout this proceeding there have been two imperatives:

1. That Licensed Stations be protected from harmful interference⁴.

¹ ECC reply comments filing of March 14, 2019, Section II, A.

² AT&T, Comsearch and Verizon filing of April 22, 2019.

³ Wi-Fi Alliance filing of May 2, 2019, Slide 12.

2. That the Commission proceed expeditiously⁵ to a Report and Order.

It is clear that a proposal for:

- **No Coordination of Unlicensed Devices** does not meet the imperative to Protect Existing Licensees (and therefore will present an unacceptable risk to public safety, i.e., interrupt 911 calls and other mission-critical communications).
- **AFC After Deployment of Unlicensed Devices** does not meet the imperative to Expeditiously Proceed to a Report and Order.

This is why ECC believes it is in the public interest for the Commission to take a two-pronged approach⁶:

1. Immediately authorize the use of the proven procedures of TSB10-F to prior coordinate Safe Areas⁷ in urban, suburban and rural communities nationwide, within which unlicensed devices can be deployed without causing harmful interference to existing licensed stations.

While also pursuing:

2. A multi-step approach to developing a nationwide AFC system.⁸

By this two-pronged approach, the United States gets the immediate benefits of the safe deployment of unlicensed Wi-Fi and 4G/5G small cells in the 6 GHz band, while the technical, structural, organizational and procedural mechanism details of a nationwide AFC system are being explored.

And to demonstrate the safety of **SAC Before AFC of Deployed Unlicensed Devices**, next week ECC will request an experimental license.

Respectfully submitted.

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⁴ FCC NPRM ET Docket 18-295 para. 1; Verizon ex parte filing June 8, 2018 GN Docket No. 17-183; Harris, Wiltshire & Grannis, ex parte filing June 2, 2018 para 2; Ericsson ex parte filing January 30, 2018 GN Docket No. 17-183 para 3.

⁵ CTIA NPRM 18-295 February 15, 2019; Apple, Broadcom, Cisco Systems, Inc., Facebook, Inc., Google LLC, Hewlett Packard Enterprises, Intel Corp, Marvell Semiconductor, Microsoft Corp., Qualcomm Inc., and Ruckus Networks (RLAN Group), NPRM 18-295 Comments filing February 15, 2019 Introduction and Summary; Ericsson NPRM 18-295 Comments filing February 15, 2019 Introduction and Summary.

⁶ ECC ex parte filing of April 29, 2019.

⁷ ECC ex parte filing of March 14, 2019, Section III, B.

⁸ AT&T, Comsearch and Verizon ex parte filing of April 22, 2019, pages 2-4.

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